lurned at 6 o'clock in the evening. They had the scemer Santa Clans and two barges for their use. The day was spent pleasantly.

Cononen's Inquest.-Recorder Bedford held an in quest yesterday upon the body of Elizabeth Desmond, quest yesterday upon the body of Enzaneth Desmond, ten years of age, who was run over on the Railroad track at the Prospect street creasing on Monday, and was so seriously injured that she died on Tuesday— having remained insensible from the time of the accident. She was on her way to school. The Jury cendered a verdict of accidental death, but censured the flagman at that crossing for carelessness and inatestion to duty, he being in the babit of absenting himself when he should be on duty. The Jury re-commended that better men be employed for flagmen and that gates should be used, instead of swing poles

RUNNERS AND HACKMEN. -- In the Jersey City Common Council on Tuesday evening, Ald. Tilden called up the ordinance regulating porters, backmen and run-ners, and requiring them to be idensed at \$10 each, for the purpose of stating that it was not designed to include the hackmen from New York who came to Jersey City to convey, passengers from the Cunard teamships to New-York. Mr. Cunard, since the adoption of that ordinance, had sent a communication to the Common council complaining of the effect of the adinance upon the passenger business of those

LAW INTELLIGENCE.

THE STREET COMMISSIONER IMBROGLIO. Nothing was accomplished yesterday in the suits grog out of the contest involving the diverse claims of Couver and Devlin to the office of Street Commissioner, further than the reading of the affidavits and a preliminary argument before Judge Ingraham on the habeas corpus, resulting in an order of reference to take testimony on a contested point, and the moving on of the motion of Mr. Conover to vacate the injune tion restraining him from taking possession of the books, papers, &c., of the office, and the reading of affdavits in support of the motion. A week will probably be occupied before a decision can be had, when Mr. Conover will be placed in possession of the archives of the office, unless in the mean time an injunction shall issue out of the Marine Court, with the view of anticipating a failure of the factious opposition of Devlin, continuing the interruption of the business of that Department. Soon after 11 o'clock, Judge Ingraham took his seat

on the Bench. The first business in order was THE HADEAS CORPUS.

Mr. Brady proceeded to read the traverse to the return of the Sheriff to the writ. The traverse is signed and swern to by Mr. Devlin. He sets fortth the facts that after the death of Joseph S. Taylor, late Street Commissioner, he was appointed by the Mayor and Board of Aldermen, on the 16th of June, to fill the vacancy; that on the same day he filed his official bond, took his official oath, and assumed the duties of

bond, took his official oath, and assumed the duties of the office, took full possessioe of the office, books, &c., and continued in possession until his arrest on the 18th lust.

The traverse next goes into a history of the suit by Conover before Judge Peabody to obtain possession of the office, and the books, &c., appertaining thereto, down to the issuing of the order of Judge Peabody. The traverse concludes as follows:

Fourthly: That the only claim of title to said office of Street Commissioner pretended or alleged by or in behalf of said Conover in such proceeding before said Justice, was the appointment of said Conover to said office by the Governor of the State of New York, as stated and set forth in the aforesaid complaint. And that it was not in any way asserted or charged by or on behalf of said Conover before said Justice, in the proceeding aforesaid, that any book or paper belonging to said office had ever come to the hands of the said Charles Devilin, or of any purson whatever, at any time during any vacancy in said office of Street Commissioner, or at any time before the period during which the said Conover was, as he in his said complaint and affidavit alleged, in full possession of the said office and of the books and aspets appartaining to the same.

Fifthly: That in pursuance of such order so made by said Justice Feabody on the 10th day of July, A. D. 1257, and in the proceeding in which such order was made and in no other or different proceeding, and under no other or different authority, power, duty, or right than such order was made and in no other or the lates of the said Conover the warrant which is set forth in the reverse to said on the lates corpus aforesaid; and that neither by any complaint or allegate in whatever, not in any manner whatever did any complaint or allegate in whatever, not in any manner whatever did any

effice of the said Joseph S. Taylor. And also, that the citle to such other was in dispute between the said Conover and the said Charles Devlin, and that said Conover and the said Charles Devlin, and that said Conover had not such undeputed right to the custody of such books and papers as was necessary by the law of the land to justify the said proceeding before said Justice in that behalf. And the said Charles Devlin further insists that the said imprisonment and detention are unlawful, because it was not made to appear to said Justice in said proceeding that any book or paper belioning or apperlating to said office had over come to the hands of the said Charles Devlin, or of any person whetever, at any time during my wasney in said office of Street Commissioner, or at any time before the period during which the said Comover was, as he, in his said complaint and affidavits, alleged, in full possession of the said office, and of the books and papers appertanting to he same.

Mr. Noyes stated that some of the facts stated in the traverse were irrelevant, and others isaccurate; and still others they denied. He asked, therefore, for time to prepare to take issue after a full examination of the traverse. of the traverse.

Mr. O'Conor said that the facts and the evidences

were in possession of Mr. Conover's counsel, and there was no necessity for delay. He urged that the case go on at once.

Mr. Field contended that the statement of the case

was irregular and imperfect; they wanted proofs as to many facts stated there, and they desired to have a to many facts stared there, and they desired to have a record for a review if necessary.

Jugge Ingraham decided to lay the matter over unfil 11 o'clock this morning.

THE ALLEGED CONTEMPT OF COURT.

The hearing then came upon the order for Mr. Concert to show cause why he should not be punished for contempt of Court.

Mr. Brady then proceeded to read the following affidavits in support of his motion to punish Mr. Concover:

AFFIDAVIT OF JAMES T. BRADY.

chavits in support of his motion to punish Mr. Comover:

APPIDAVIT OF JAMES T. &RADY.

City and County of New York, ss.—James T. Brady being duly sworn save—That on the 18th day of July instant, he served upon Daniel D. Comover, one of the defendants above named, copies of the following papers, viz. the compiant in this section, the affidavit of Richard Busteed, e.g., verifying the same, the summons in the action and the injunction ordered therein made at Special Term before the Hon. Daniel P. Ingraham on the 18th day of July instant.

That such service was made by delivering copies of said papers to said Conover personally; and that the copy order for injunction aforesaid was duly certified as such copy by the dierk of this Court.

Deponent further saith that he delivered said papers to Conover at the moment when the Hon. Charles A. Peabody handed to Mr. Honry Bertholf the search warrant, just signed by said Peabody in the proceeding by Conover asiants Charles A. Dev-lin, to obtain possession of the books and papers of the Street Commissioner's Office; that such warrant had not vet passed out of the bands of said Bertholf, nor been delivered either to Mr. Field or Constable Farrington.

That when deponent served the papers, Mr. Conover, was seated beside his counsed at the table adjoining the Judge's Bench.

Deponent further saith that he has read the affidavit of Mr. Charles Turner, this diar made in this action said that all the

Bench.

Deponent further saith that he has read the affidavit of Mr.

Charles Turner, this day made in this action, and that all the
proceedings in the spartments of the Street Commissioner, in

Inference to taking persession of said apartments, or of any

books therein, under said warrant, on the 18th day of July listens, must have been after dependent as served said papers on

Mr Conver.

JAMES T. BRADY.

Sworn to this the 20th day of July, 1257, before me.

JAMES SANYORD, Commissioner of Deeds.

Sworn to this the 29th day of July, 1237, before me.

JAMES SANTORD, Commissioner of Deeds.

THOMAS CARROLL S APPIDAVIT.

Thomas Carroll, of said city, being duly sworn, says—
That on the 18th day of July instant, he served a certified copy of the injunction order herein, a copy of which is hereto annexted, marked 'A," on John R Farrigton one of the Constables of the City of New York, that said service was made on said Farring ion in the private office of the Street canada one and Farring of Records, in this city, when he we commissioner, in the Half of Records, in this city, when he we commissioner and the office of said Street Commissioner, and before the said Farrington had taken any books, papers, maps or documents whatever from said office.

That at the time of such service, deponent informed said Farrington that he was decirons to make a copy of the said injunction, and saked said Farrington if he would permit deponent to than make such copy, and consider such service good; to which said Farrington answered, "Certainly "that thereupon, deponent seated himself in the chair usually occupied by the Street Commissioner, for the purpose of making such copy when Meswin R. Brewer, eq., came up to deponent and asked look at such injunction order; that deponent handed said Rewer said order, who thereupon turned to said farrington, and, directing said Farrington's attention to said injunction, and, the such solver of the said said and fire two said of the paper in his lands, and, after examining it, that they upon be handed back to this deponent the said farring to the said order as certified, which said Farrington that they good the said of the security of the said Farrington that the said of according to the said of the security of the said said frame and order as certified, which said Farrington that the said of said recording the this deponent then and order as certified, which said Farrington that the said of said certified which said Farrington then the said of said certified which said Farrington then, the s

And depenent faither says that he then handed the said in-metion to one of the clerks of Mr. Devlin to have copied and not from said office to the Supreme Court; that up to this time is said Farrington had not taken from said Strict Commission-ic effice, not taken possession of, any books, papers, maps of 'a effice, not taken possession of, any books, papers, maps of taken possession

Court room, where Mr. Justice Pedbods was then holding Court, and remaining there for about three minutes, again went over to the Street Commissioner's office, and that on his way to said office he net Mr. Go. Peckhorn, said to be a clerk of Mr. Conover, with an simful of books, said to have been taken from the Street Commissioner's office; and also the said Parington, in the hall-way of the said Hall of Records, with the balance of the books taken from the said office.

And decount but the court of the said said to the said Parington, in the said office.

way of the said office.

And deponent rather says, that he thereupon went into the Street Commissioner's office and obtained from the party copying the same the said certified copy of injunction, and served it again on said Farrinaton as he was descending the sairs of the Hall of Records, where such Street Commissioner's office is; and that such service was made by deponent by laying said injunction erder out the pile of books which the said Farrinaton was then carrying and leaving the same with him; and deponent says that notwintstanding the service of the said injunction order upon said Farrington, the said Farrington and its such as the control of the said farring to the sai

AFFADVIT OF CHARLES TURNER.

City and County of New York, ss.—Charles Turner, of the said city, being duly sworn, deposes and says—That he is the Deputy Street Commissioner in the Street Countissioner and pepariment of the City of New York, and has held the office since the 3th of January, 1850; that Joseph S. Taylor, having been duly elected, entered upon the duties of the office of Street Commissioner on the first Monday of January, 1856, and during that montil the said Taylor, noninated deponent to the Board of Aldermen as Deputy Street Commissioner, and deponent was by said Board duly confirmed; that on or about the 9th of June last, the said Taylor died, whereupon deponent became, by virtue of the laws and ordinances relating to said office, acting Street Commissioner, and did so act ared discharge the duties thereof until Charles Devlin was appointed and entered upon the duties of the office of Street Commissioner, on the 16th day of June last; that on or about the 18th day of said month, one Daniel D. Conover came to the office and informed deponent that he (Conover) had been appointed Street Commissioner by the Governor, exhibiting to deponent, at the same time, a commission purporting to be signed by John A. King, and said to deponent, "I appeint you my Deputy;" that said Conover came to the office also on the 18th and 16th days of June ult., and asserted himself to be Street Commissioner, and repeated to deponent that he was continued in office as Deputy by him, Conover.

rent that he was continued in omce as Deputy by him, consever.

That on the afternoon of Saturday, the 18th of July inst., deponent was in the office of Street Commissioner, in the apartment and seated at the desk usually occupied by and used by the head of the Department, and while deponent was transacting the business of the office, the said Conover entered the apartment where deponent was seated, accompanied by about 30 persons, among whom deponent recognized James Irving and Merwin R. Brewer; that Conover advanced near to deponent and said he had been declared Street Commissioner by the Court, and as that was the room provided for the Street Commissioner, he bad come to take possession of it; that deponent said he was Deputy Street Commissioner, and, in the absence of Mr. Deviin, could not sive it up; some one of those who followed Conover then instantly seized hold of deponent with great violence and tried to eject deponent from the chair in which he was sented; not succeeding, he was immediately assisted by some of the persons with him, when deponent was forced out of the chair, and forcibly and violently pushed outside of the railing which incloses the desk and a portion of the office; that the struggle lasted for a minute, during which time, and until deponent was put outside the railing. Conover and several others had hold of deponent; that deponent was hadly bruised and injured by said Conover and his accomplices, the marks and traces of which are vet visible upon ceponent's body, and deponent now anders much pain therefron, and is under the care of his family physician therefor; that deponent will be sixty-two years of age on the 11th day of next month; that deponent remained in the outer office until 4 o'clock in the afternoon of Saturday.

That deponent that he had appointed a person as Deputy Street Commissioner, instead of deponent, and demanded his office keys, which deponent declined to give; Conover then for bid deponent touching any of the beaks or papers of the office, or taking any part in That on the afternoon of Saturday, the 18th of July inst., de-

Sworn to before me this 20th day of July, 1857.

JAMES SANFORD, Commissioner of Deeds.

AFFIDAVIT OF DEVLIN'S SON.

City and County of New-York, ss.—Charles Devlis, jr., of the said city, being duly sworn, deposes and says—That he is the son of Charles Devlin, one of the defendants; that he (deponent) was present in the Street Commissioner's office on Saturday last, when D. D. Conover came in; that deponent has reed the foregoing affidavit of Mr. Turner; that deponent has reed the foregoing affidavit of Mr. Turner; that deponent has reed the foregoing affidavit of Mr. Turner; that deponent in the forcible ejection of said Turner fro a the private office of the Street Commissioner; that the said affidavit, so far as it relates to the occurrences which then and there took place, is true, within this deponent's knowledge.

And this deponent further says that at the time and place aforesaid, he saw D. D. Conover have held of Mr. Turner, trying to force him out of his sent, and at the same time James Inving and Pat Matthews also had hold of Mr. Turner, and assisted said Conover to eject Mr. Turner outside the railing, which also inclose a portion of said apartment. And further deponent suith not.

CHARLES DEVLIN, Jr.

Sworn to before me, this 20th day of July, 1957.

CAPT. BENNETT'S AFFIDAVIT.

CAPT. RENNETT'S AFFIDAVIT.

John W. Bennett, of said city, being duly sworn, deposes and says.—That he is a special Deputy Sheriff of the City and County of New York, by a warrant dated the 3th day of July, 1857, to assist in preserving the public peace.

And deponent further saith that on the 18th day of July instant, between the hours of 2 and 3 o'clock in the afternious, this deponent was it the office of the Street Commissioner of the City of New York, that while there this deponent observed a large crowd of people coming into said office, among whom deponent saw Daniel D. Conover; that deponent, being fearful that a disturbance might enone, called upon the people composing said crowd to keep the peace and to refrain from making a disturbance, staing that deponent would arrest the first person who created a breach of the peace; said Daniel D. Conover told said Turner that he came there to take possession of said office, or used language to that effect, and said Turner refused to acknowledge the right of said Conover to take possession; that the reupon the said Conover stode said Turner and hurled him from his seat, and going behind said railing he took possession of the seat of the Street Commissioner. Deponent or there with that he then said to Conover, "You have cummitted a breach of the peace by foreibly laying your hands on a chitzen," and told the said Conover that he should arrest him for the same: that said Conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover that he should arrest him for the same: that said conover had been and said diese; that deponent whose haunes were unknown to deponent, and denotes the first persons he had conover to be he CAPT. BENNETT'S AFFIDAVIT.

JOHN W. BENNETT. Swern to before me, this 20th day of July, 1857.

James Sanford, Commissioner of Deeds.

JAMES SAFFORD, Commissioner of Deeds.

PATRICK DEVLIN'S AFFIDAVIT.

City and County of New-York, ss.—Patrick Devlin, eing duly sworn, states that the following is a true narrative f what occurred in his presence and hearing before the Hon. harles A. Peahody, in the matter of the proceedings by Daniel D. Conover against Charles Devlin to obtain possession of the ocks and papers of the office of Street Commissioner: On Satriday, the 18th day of July, 1857, I was among the persons who intered the court-room in which, at or about noon, his Honor ustice Peahody continued the proceedings above mentioned, lis Honor took a seat on the bench; Mr. Henry Bertholf made proclamation, such as a court is usually opened with. Mesers. entered the count-room in which, at of about noon, his troped Justice Peabody continued the proceedings above mentioned. His Honor took a seat on the bench; Mr. Henry Bertholf made a proclamation, such as a court is usually opened with. Messrs. Daniel E. Sickies and James T. Brady were present at the time in behalf of Mr. Bevlin, and Messrs David Dudiey Field and William Curtis Noyes for Conover. Mr. Field asked the Judge to sign a warrant for Devlini's arrest if he did not give up the books. The Judge signed it, and delivered it to Mr. Bertholf. Then Mr. Field asked the Justice to grant the search-warrant to search for the books and papers of the Street Commissioner's office. Some discussion took place as to whether it should be addressed to a constable sa well as the Sheriff. Messra. Field at d Noyes both insisted that the constable should be included. His Honor at lenath decided that it should be as addressed. He signed it and handed it to Mr. Betholf, at which moment Mr. Brady handed some papers to Daniel D. Conover, who sat at the table, under the bench of the Judges, and beside his counsel. Mr. Brady stated to the Court publicly, and so as to be audible throughout the Court-room, that he had served on Mr. Conover, an injunction, granted by Judge Ingrabam of the Court of Common Pleas, to prevent his taking possession of the said books and papers, and preventing Mr. Devlin from giving them up to him. Mr. Field stated in substance that when an injunction of the Court of Common Pleas, that when an injunction of the Court of Common Pleas came to him (Judge Peabody) he (the said Field) hoped that the Judge would treat it as he (vaid Field) had done—put it under his feet; said Field also declared that said injunction was no better than wester paper.

That soon after a man came into the Court room with a bun-

feet; sald Field also declared that said injunction was no better than waste paper.

That soon after a man came into the Court room with a bundle of books, said to have come from the Street Commissioner's Office, which he deposited on a chair in Court.

That before any books were so brought Mr. Brady informed Justice Peabody publicly and in the hearing of said Conover, Field and Noyes, that the order to show cause on the injunction order of Judge Ingraham, was returnable on the 24th of Judy, instant and Mr. Brady asked the said Justice to adjourn said proceedings until after said day. Mr. Field stremonsly opposed any adjournment until later than 2 p m. of the 18th, saying, in substance, that the book would be there within an hour after the granting of the search warrant aforesaid and said Field, unsed said Justice to be in attendance or at hind at that hour, to which said Justice searches.

or the removal or disposition of the books and papers belonging to the Street Commissioner's office, and referred to in the said warrants.

And this deponent forther saith that after Mr Brady had served the said papers. Mr. Brady rose and stated to Mr. Justice Peabody that he had an announcement to make, which was that an injunction had been granted by the Court of Common Pleas, which he had, just served upon Mr. Conover, and which Mr. Conover was then reading which would prevent the further action of the Court; a discussion then arose between the counsel, the whole of which this deponent head; that Mr. Field did not state in substance "that when an "injunction of the Court of Common Pleas came to him (Judge Peabody) he (the said Field) head done—put it under his feet;" nor did he declare "that esid injunction was no better than waste raper." What Mr. Field said on that subject was this: "If I were sitting in your place on the bench of the Supreme Court and an injunction were to come to me from the Common "Pleas, to restrain my action, I would trumple it under my feet;" and "if the injunction were so roving injunction. addressed to everybody, it was no better than waste paper."

And this deponent further saith, that he followed the said Conover, who shortly after the books were brought in went over to the Street Commissioner's apartments, in the Hallof Records; that when this deponent arrived there he found the said Conover is the private room of the Street Commissioner, where Charles Turner and John W. Beanett were also; and that this deponent was near the said Conover, and is certain that he slid not touch either the said Beanett or the said Turner, or direct, ask, or facilite any one clae to do so, nor did he threaten them, or any one clae, in any namer whatever.

And this deponent further saith, that he heard the said Conover manuec to all persons in the office that nothing in the office must be touched.

And this deponent further saith, that the heard the said Conover was the only person who made any distu owhich and Justice to be in after dance or at hand at that hour, or which and Justice asserted.

Deponent further saith that he went over to the Street Commissioner's office and witnessed the proceedings there until the foreithe ejection of Mr. Charles Turner, which proceedings are correctly stated in the annexed affidavit of said Turner, this day made, not which deponent has heard read.

Deponent further saith that he is in no way related to said Chair's Devlin, and has never been employed in the Street Commissioner's office in this city. PATRICK DEVLIN.

Sworn before me this, 20th day of July, 1577.

James SANGORD, Commissioner of Deeds.

In reply to these affidavits, Mr. Field read the fol-

In reply to these affidavits, Mr. Field read the following affidavite:

Mr. CONOVER'S AFFIDAVIT.

Denlet D. Conover, being aworn, saith—That on the 18th day of July inst. he was in the Supreme Court room, when Mr. Justice Peabody appeared upon the bench; that the warrant for the street of Devlin was handed by the Judge to Harry Bertholf, and by the said Brewer to the Sheiff by the hands of Joseph Polloch; that the second warrant was likewise delivered by the Judge to Mr. Bertholf, and by him to Mr. Brewer, and by the said Brewer to the Sheiff by the hands of Joseph Polloch; that the second warrant was likewise delivered by the Judge to Mr. Bertholf, and by him to Mr. Brewer, who immediately left the Court room with it and that until Mr. Brewer and the second warrant of the room with the said warrant Mr. James T. Brady did not serve on this deponent any papers whatever to him or in his presence on the subject of an injunction; and this deponent further saith that when the papers were handed to him by Mr. Brady he handed them to Mr. Noyes, one of his counsel, who sat beside him, and who began to read them, and was engaged in reading them when the books were brought into the Court room; and that this deponent had given no directions respecting the said warrant or either of them or the service of the same; and this deponent forther saith, that when the books were brought into Court this deponent did not touch them or give any directions about them; and this deponent has not to this time used any of the books, maps, papers and documents belonging to the Street Commissioner's apartments; and this deponent further saith that after the said books had been brought into the hird room, which is appropriated to the Street Commissioner's private use, and this deponent squictly, met Chailes Turner in the second of the three rooms and shook hands with him; the went the he went fine the third room, which is appropriated to the Street Commissioner's private use, said there met John W. Bennett outside of the railing and ahook ba

And this deponent further saith, that the said John we at was the only person who made any disturbance, and that a sppeared unnaturally excited and conducted nimetic in a rade and hoisterous manner, and seemed not to know exactly what was about.

W. J. A. FWLLER.

Swern, July 22, 1857, before me.

G. T. Haws, Commissioner of Deeds. JOHN COLVIN'S AFFIDAVIT. JOHN COLVIN'S AFFIDAVIT.

City and County of New-York, ss.—John Colvin, one of the Clerks in the Street Commissioner's Office of said city, being sworn, saith that he went to the Street Commissioner's spartments on the 18th day of July inst., where he found John R. Farrington and Charles Turner; that said Parrington had with him a search warrant from Mr. Justice Peabody, and he requested this deponent to point out the books belonging to said office, which this deponent proceeded to do, and the said Farringten tock possession of the books and papers belonging to the office, and sent away some and took away some others himself: this deponent heard nothing of an injunction until Mr. Farrington was carrying out a third parcel of books, when Thomas Carroll said to him "Stop," and taid on the books a paper parperting to be copy of an injunction.

And this deponent further saith, that shortly afternard, Dasiel D. Conover came is and walked quictly into the Street Commissioner's grieste office, this deponent commissioner's grieste of the street of t

depenent fasther eaith, that he was present in the Court-room during the while of the discussion respecting the said fajunction, and bread all that was said by each of the coursel; that Mr. Field did not state that when an injunction of the Court of Common. Fleu can et a bird judge Peabedy, he (the said Field) heped that the said Judge would treat it as he (the said Field) had done. I put it me'r his feet," nor did Mr. Field declare that "the said injunction was no better than waste paper;" what Mr. Field and on the subject was this: "If I were sitting in your jace on the hench of the Supreme Court, and an injunction were to come to me from the Common clean to restrain "my action. I would tramp e it under my feet," and that "if the "injunction were a roving injunction sudressed to supbody, it was no better than waste paper;" and this deponent further eath high he he not removed or caused to be removed the body, maps, records and documents, end other property and papers in the complaint mentioned, or any of them, from the place or places where they or either of them were at the time of the delivery to him by Mr. Brady of the papers before mentioned, nor has this deponent interfered with the same in any manner or way whatever, nor has he violated the injunction granted therein; but on the contrary, has treated the same with entire respect, and sermpolously avoided discograding it in any particular, and was so advised by both his connect so so on as they had made thereaches acquainted with its contents.

MERWIN R. REEWER'S AFFIDAVIT.

nett, or direct, ask of incide any one class to do so.

E. HARRISON RIEDS AFFIDAVIT.

City and County of Acc.-York, as: E. Harrison Reed, of said City, being sworn, such that he was present in the Supreme Court room on the 18th of July inst warm Indee Peabody entered the room, and remained in the room until both the warmits had been simed and taken away; that until after Mr. Brewer had left the court room with the search warrant, nothing was said by Mr. Busty or support clear repeting on injurction.

And this deponent further saith that he went to the Street Commissioner's in thumbs should before Mr. Compare came.

And depotent further says that he was present during all the time of the discussion respecting the injunction, and that he heard sit that was said by any of the counsel on that subject; that Mr. Field did mit state that "when an injunction of the Common Fleas come to when an injunction of the said Field) had peed that the said Judgs would treat it as he (take said Field) had done, put it under his feet," nor did Mr. Field declare "that the said injunction was no better that wasterpaper." What Mr. Field said on that subject was this: "If I was sitting in your place on the bench of the Sapreme Court, and an injunction, were to come to me from the Common Pleas to restrain my action, I would trample it under my feet," and that "liftle injunction were a roving fogunation, addressed to everybody, it was no better than waste paper."

Sworn before me this 21st day of July, 1857.

G. T. Haws, Commissioner of Deeds.

Sworn before me, the 72d day of July, 1837.

W. F. Leggertt, Commissioner of Deeds.

MERWIN R. BREWER'S AFFIDAVIT.

City and County of New York.—Merwin R. Brewer of said city being sworn, saith—That he is an attorney and connecter at law, and has acted in the matter before Mr. Justice Peabody as the triend and legal adviser of the defendant Concer; that he was present before Mr. Justice Peabody on the light of July instant while the proceedings in respect to the warrants spaintst Clearles Deviln were pending; that the first warrant, which was for the arrest of said Deviln, was handed by said Justice to Mr. Bertholf, an officer of the Court and by said Bertholf to deponent, and by deponent handed to Joseph Policek, the defivered by him to the Sheriff of the City and County of New York, and was, as deponent is informed and believes, immediately taken by said Policek to the Sheriff's office; that the excond warrant, which was a search warrant, was signed by the said Justice and handed by him to Mr. Bertholf, and by said Bertholf handed to deponent, who immediately left the Court room with it and handed it to Constable Farrington in the hall outside of the Court room; that during the time this deponent was in the Ceurt room, not one word on the subject of an injunction had been said by Mr. James T. Rady or any other person, nor did deponent know or suppose that any injunction whaterers had been severed And this deponent further sait that Sworn before me this 21st day of July, 1837.

G. T. Haws, Commissioner of Deeds.

JOHN J. SILICOCK'S AFFIDAVIT.

City and County of New-Fork, ss.—John J. Sillcock of anid city, being sworn, says that he was in the court rom when the Judge began the proceedings, that the first warrent was delivered to Mr. Berthoff, and b, Mr. Berthoff to Mr. Brower, and by Mr. Brewer to Mr. Poliock, that the second warrant was simed by the Judge and handed to Mr. Berthoff, and by Mr. Berthoff handed to Brewer, who left Count with it immediately, and until Mr. Brewer had left count not a word had been said about an injunction by Mr. Brady or anybody size.

And defendant further says that he went with said Conover to the Street Commissioner's apartments in the fish of Records; that Mr. Conover went quietly not the Street Commissioner's chiec, and went quietly to the private office of the Street Commissioner's after any John W. Bennett then were, and that the said Conover did not touch any one of fee, during which time said Conover did not touch any one of fice, during which time said Conover did not touch any one of fice, during which time said Conover did not touch any one of fice, during which time said Conover did not touch any one of fice, during which time said Conover did not touch any one of fice, during which time said Conover did not touch any one of the papers, books maps and documents belonging to the office, nor direct, but, on the confirery, gave express directions to all persons present not to touch any of them, and said out and procund paper of his own to write upon, that when Conover first entered the Street Commissioner's apartments Turtar was in the second room, and as Conover was passing around the railing and seated

any bocks, papers, maps or doennents whatever.

Deponent further asith that the defendant Conover did not give this deponent any directions whatever about said warrants or either of them, or the execution thereof, or about the said hooks, maps, papers and documents, or either of them, and that the said Conover gave no directions whatever to the said Farington, and never interfered in any respect with the said warrants or their execution from the time the warrants were delivered to this deponent by Mr. Bertholf till they were executed.

And this deponent by Mr. Bertholf till they were executed. And this deponent further saith that he was present in said Street Commissioner's office when Mr. Daniel D. Conover came there; that deponent stood directly in front of Mr. Charles Turner when Mr. Conover came in and requested Mr. Turner to warde the chair and leave the room, as that belonged to him as Street Commissioner; Mr. Turner then rose up from the chair and Mr. Conover pased behind the chair; a large number of persons came in the room, apparently anxions to press forward to see what was going on, but all of them peaceable and making no demonstrations to create disturbance; that said Conover directed said Turner to leave; the crowd then closed in, and in a few moments Mr. Turner befix; and deponent states positively that said Conover did not touch nor tell any one else to touch and Turner during all that time deponent was standing within two fect of said Conover, and if said Conover had taken hold of or pushed said Turner, deponent must have seen it.

CONSTABLE FARRINGTON'S AFFIDAVIT.

City and Coverty of New York, ss.—Joho R. Faring the said the large states and the said the large states and the said the large states.

said effice. And this depenent further says that he has never known or

who may be proceeded to execute it as herein stated, solely in virtue of the warrant itself.

And deponent further saith that although he was in the Court room a part of the time before Judge Peobody, yet he heard nothing said by any one on the subject of an injunction of any description; that Mr. Brady had not said one word on the subject when this deponent left.

And this deponent further says that the legimetion was not-shown to deponent nor anything said to him about it till affect the first parcel of books had been taken over to the Supreme Curt room and the woond parcet had been gotten tog-ther and taken up to be carried over this wise; that deponent never constide to consider the service of the said injunction good or said he would do so, and he never waived a proper service in any manner, or entered into any consent or agreement in relation to such service; that deponent did not examine said injunction or a copy of it. Ill he had taken it to the Supreme Court room. Deponent did not refuse to receive or accept the injunction or a copy of it.

J. R. FARRINGTON.

Swern July 22, 1857, before me.

W. F. Lynaury, Commissioner of Beats.

Sworn July 22, 1857, before me.
W. F. LEGGETT, Commissioner of Deeds.

W. F. LEGGETT, Commissioner of Desca.

WM. J. A. FULLER'S APFIDAVIT.

City and County of New-York.—William J. A. Fuller of said city, being sworn seith that he was present in the Supreme Court room on the lift of July instant, when Mr. Justice Peaboly appeared and the proceedings before him commenced. That the warrant to arrest Charles Devin was delivered by the Judge to Henry Bertholf, and by the said Bertholf to Mervin R. Brewer, one of the counsel for Daniel D. Conover, and was by the said Brewer sent to the Sheriff's office by Joseph B. Pollock. That the search warrant was afterward leaded by the Judge to the said Bertholf, and by the said Bertholf to Mr. Brewer, who immediately left the Court-room with it

with it

And this deponent further saith that he saw Mr James T.

And this deponent further saith that he saw Mr James T.

And this deponent further saith that he saw Mr. James T. Brady deliver to the said Conover the papers purporting to be a copy of the summons, complsint and injunction in this section. That Mr. Conover sat at the table between Mr. Noyes and this deponent and Mr. Brady set few feet behind him, and when Mr. Brady served the said papers, he walked forward and handed them to Mr. Conover over his shoulder without saying a word, and that when he did so Mr. Brewer had already gone out with the said second warrant.

And this deponent further saith, that when the said papers were served. Mr. Conover handed them to Mr. Noyes, who were the said papers when the books were brought in; at d Mr. Conover did not utter one word in respect to the said warrants or the service thereof, or the removal or disposition of the books and papers belonging to the Street Commissioner's office, and referred to in the said warrants.

Conover did not threaten Turner with any visitable wantever.

JOHN J. SILLCOCK.

Swern before me July 21. 1857.

City and County of New York: James Peckham, of said city, being duly sworn, saith that he was tresent in the Suprene Court building on the 18th of July inst., from the time Mr. Justice Peaksey took his seat on the bench till after the second warrant had been taken out of Court by Mr. Brewer; that during all that time not one word had been said by Mr. Brady, or any other person, respecting an injunction, and that when this deponent left the Court-room, he left Mr. Conover there seated beside Mr. Norge, one of nis counsel.

And this deponent further saith, that he followed Mr. Farritg-ton to the Street Commissioner? Department, and entered the apartments immediately behind him and remained with him till he, said Farrington, gave this deponent an armful of books to take before Mr. Justice Peabody, which this deponent did, and that so long as this deponent remained with the said Farrington, no injunction or paper of any kind was served on him, nor was the subject of an injunction mentioned.

And this deponent further saith, that after delivering the said books to said Judge, he returned to said Street Commissioner's apartments, and that shortly after his arrival there Mr. Conover came in and walked quietly into the private office appropriated to the Street Commissioner himself, and there remained until Charles Tagmer and John W. Bennett had left that room, and thet said Conover did not touch either of them, or direct ask or incite any one else to do so. JAMES PLCKHAM.

Sworn before me this 22d day of July, 1857.

SMULL F. ALLEX, Commissioner's office, being duly sworn, seith that he was present in the Septeme Court room on Saturdey, July 18th, when Mr. Hustice Peabody took his place on the bench: that Mr. Conover sat in the Court beside Mr. Noves, one of his counsel: that the first warrant was signed by the Justice, handed to Henry Bertholf, one of the court room in Saturdey, July 18th, when Mr. Hustice

CONSTABLE PARRINGTON'S AFFIDAVIT.

City and Canuty of New York, ss.—Joho R. Farrington, of sold city, being duly swart, saith—That he is one of the Constables of the City of New York; that on the 18th day of July inst. Mewin R. Brewer handed to the deponent, in the hall of the hullding where the Supreme Court sits, a warrant issued by Mr. Justice Presbody whereby he was commanded to stize the books, papers, maps and documents belonging to the Street Commissioner's office, and bring them forthwith before and Justice; that deponent preceeded at once, in company with Mr. Brewer, to said Street Commissioner's office, and then and there took possession of the papers, books, maps and documents in said office, and at once took up an armiful of books, which he handed to Mr. James Peckham, and directed him to take them to Mr. Justice Peahody; that after said Peckham had left the building with said books, and as deponent was collecting more books to take before said Justice, Mr. Thomas Carroll came in resid office and asked deponent this name, and said the had an injunction, and wished deponent to give him time to make out a copy to serve on deponent. Deponent replied that he could not do so, as he was commanded to take the books, maps, &c., foothwith before said Justice; and Carroll then said if will serve this on you; and he then handed deponent a paper, which deponent did not read, and which was entitled, The Mayor, &c., art. Daniel D. Conever, Charles Deviin and James C. Willet, Sheriff, &c. Deponent then said to said Carroll that said paper was not directed to him, and that said Carroll must prepare a copy and serve it on deponent; Carroll must prepare a copy and serve it on seponent; Carroll must prepare a copy and serve it on seponent of then took the paper mad left, deponent then took an armful of books, and which he had laid out and started for the Supreme Court room, where Justice Peahody was, and delivered said books; he then returned to the Street Commissioner's office and took up nother armful of books, and

ple it under my implementation directed to every implemention directed to every so much waste paper."

so much waste paper."

to before me the 2ist July, 1357.

G. T. Haws, Company had The reading of the affidavits being concluded, Mr. Brady stated that in view of the coeffict of the testimony, particularly as to the time when the injunction was served on Mr. Cenover in the Supreme Court, he moved an order of reference be made to take testi-

Mr. Field objected to a reference on the ground

Mr. Field objected to a reference on the ground that upon the face of the papers there was no contempt on the part of Mr. Conever.

A lengthy discussion followed this, at the close of which Judgs legraham said that as a motion had been made for a reference he would grant it, as it was an unpleasant thing for a Jury, much more a Judge, to pass upon the veracity of witnesses. On Thursday merning he would appoint a referee to adjudicate the case in meciately. case in mediately.

The hearing next came up on

The hearing next came up on THE INJUNCTION.

Mr. Field proceeded to read the following affidavit of Mr. Conover, on which he based his motion to vacate the temporary injunction granted by Judge Ingraham, restraining him from taking possession of the books of the Street Commissioner's office and restraining the Sheriff, Mr. Farnington and others from executing the search warrant of Judge Peabody:

ing the Sheriff, Mr. Farington and others from executing the search warran tof Judge Peabody:

Saw-York Common Piezas.

The Mayor, &r. agt., Daniel D Conover and others.

**City and County of New-York, ss.—Daniel D. Conover heim; a worn sith, that on the second day of July instant, he was served with a summons, complaint and Injunction, of which copies' are hereto annexed marked A. B. and C: that the motion for the continumer of the said injunction was discontinued by the plaintiff.

And this deponent further says that he is now in the full and undesturbed possession of the office of Street Commissioner of the City of New-York, and of the spattments in the Hall of Records appropriated to the said office; but that he is restly embarrassed by his inshifity to use the books and papers in the said apartments, occasioned by the injunction in this action; and that the only use he ever destinated to make of the said books, maps, papers and documents, is, by means thereof, to carry on fully the business of the said office, and that the safety and convenience of the public will be best promoted by his undisturbed passession of such books maps, papers and documents. And the depotent further says that he is advised and believes the books, maps, papers and decuments. And the depotent further says that he is advised and believes the books, maps, papers and decuments belonging or appertaining to the office of Street Commissioner.

And the depotent further says that he is informed and believes that is Turner, in the complaint mentioned, had no right to the said city have an interest, which are held in trust for the said city and county, and which the plaintiffs have no right to she from the custody of the Commissioner.

And the depotent further says that he is informed and believes. Charles Turner, in the complaint mentioned, had no right to the spointment of the deponent to the office of Street Commissioner.

And this deponent further says that he is informed and believes. Charles Turner, in the complaint mentioned, had

special ment of the deponent to the bane of ment and besiener.

And this deponent further says that, as he is informed and besieves. Charles Develin has not been recognized as Street Commissioner by the Controller of the said city, or by the Copration itself, inasmuch as some of the branches or essential parts of the Corporation have not done so.

D. D. CONOVER.

Sworn to before me this 21st day of July, 1837.

JOHN R. FARRINGTON, Commissioner of Devds.

The hour of adjournment having arrived, the Court

adjourned to 11 o'clock to day.

The proceedings before Judge Peabody, regarding

the books and papers of the Street Commissioner's effice, were adjourned to Saturday next at 11 o'clockthe matter of the injunction being still pending in the -Court of Common Pleas.

SUPREME COURT-SPECIAL TERM-JULY 22 -Before Judge Milton M. Fisher agt. Moses A. Perkins.—Order of great set aside with \$10 costs to abide event of the suit.

SUPERIOR COURT—Special Term—July 22—Before Judge Horrman.

The great telegraph case of House agt. Smith, the argument whereof began on Friday, as still on.

Christian Blesch agt. Charles Blesch.—Order decisting rights of plaintiff and defendants to be settled.

Frust agt. Power and Spalding.—Injunction denied.

Temporary trjunction discharged with \$10 costs.

Dedge and Phales is receivers agt. Lambert &

Temporary is junction discharged with a to a Dodge and Phelpa ir , receivers agt. Lambert & Gardner.—Injunction continued till trial of cause.

The Harlem Railroad Company agt. Kyle & Earle.

Motion for a new trial on newly discovered evidence denied.

MARRIED.

MARRIED.

MARRIED.

MARRIED.

MARRIED.

MARRIED.

MYCHARLES ATTORREE. At Schulerville. Saratons County, on Westawday evening. July 18 by the Rev. J. S. Kilney, of Saratons Springs. Charles E. Bleecket. of Albany, to Crace, doughter of George Strover, of the former place.

BISSFLL—SMITH—In time city, on Mouday, July 20, by the Rev. Lett Jenes, William E. Bissell, of Norwak, Count, to Miss Emeline Smith, of this city.

BENEDICH—STELLE—In New-Brunswick, N. J., on Wedinsday, July 22 by the Rev. Thomas Gallandet. Leave H. Berechet eq., of New York. to Miss Sarah D Stelle, sister of Peter C. Stelle, eng., of New York.

of this city.

SHFM DON-MOUNT-On Wednesday, July 22, by the Rev.
Isaac Ferris, in the Reformed Dutch Church, corner of Twenty-flith street and Fight avenue, M. L. Sheldou, esq., to Miss
Kate Mount all of this city.

STAYNER-TOWNSEND-At Grace Church, Brooklyn
Hights, on Thursday, July 16, cy the Rev. J. H. H. Brown,
Mr. Henry C. Stayner to Miss Cornella Townsend, all of
Brocklyn.

ABBOTT—On July 21 in this city, John Abbott, ared 46 years, a native of England.

ANDERSON—On Wednesday morning in the \$2d year of her age, Ann Anderson, wildow of James D. Anderson.

Her friends and relatives, those of her son. Peter Anderson, and the members of Amity street Baptist Church, are invited to attend her fineral this afternoon, at 4 o'clock, p. m., from her late residence, No. 83 South Ninth street, Brooklyn, F. D., without further invitation.

BOURKE—On Monday, 20th inst., William Bourke, in the 17th year of his age, a native of Coulbee, parish of Emily, County Tippersty, Ireland.

DALY—On June 21, at Haroid's Cross, Dublin, Margaret Teresa Daly, second daughter of the late Patrick Daly, esq., Francis street, Dublin.

JAMISON—On Monday evening, July 20, Miss Matilda Jami' son, aged 21 years born in County Derry Ireland.

JEFFERY—On Monday evening, July 20, Charles C Jeffrey, aged 43 years.

son, aged 21 years born in County Derry Tenada.

JEFFERY-On Monday evening, July 20, Charles C Jeffrey, aged 43 years.

KELLEY-On Tuesday, July 21, Patriok Kelly, after a severs suffering of disease of the heart.

LANE-On Tuesday, July 21, after a linguring illness, John S. Lane, in the 49th year of his age.

LANE-On Friday June 5, John A. Lane, son of John S. Lane, sped 3 years and 11 months.

McGUIRE-On Monday, July 20, Francis McGuire, son of Patrick and Catharine McGuire, aged 3 years and 5 months.

McGROSSIN-On Tuesday 21st Inst., of inflamonation of the longs, Catharine L. McCrossin, daughter of Dominisk and Auto McCrossin, aged 6 years and 7 months.

MI RPHY-On Monday, July 20, at 12 o'clock. Elizabeth, beloved wife of Daniel H. Murphy, aged 21 years.

O'BRIEN-On Monday, July 20, David O'Brien, in the 74th year of his age.

GZIER-At the residence of her mother, in the village of Olive-burgh, Richland Co, Ohio, on Sunday evening July 5, Miss Mary Jane Ozier, aged 28 years.

ROACH-On Tuesday morning, Julia Ann Roach, aged 14 years and 3 months.

RELLEY-On July 21, Luke Reilly, aged 33 years a native of

and 3 months.

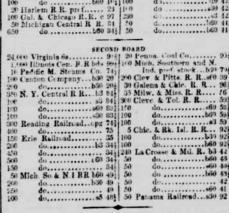
REILLY-On July 21. Luke Reilly, aged 33 years a native of Great Bratten, Parish of Drumiane, County Cavan, Ireland.

SMITH-On Tuesday, July 21, at Whitestone, Long Island.
Col. William Smith, after a short illness, in the 68th year of bis seen.

SMITH—Co. William Smith, after a short inners, this age
SAUNDERS—Clara, daughter of William and Adele T. Saundre, aged 6 years, 2 months and 29 days.
TORPEY—On Tuesday, July 21, Mary Torpey—wife of Hugh Torpey, native of Witthelstown, County Cork, Ireland.
WHITE—On July 21, Sidney Smith Whity, in the 29th year of his age, a native of Reserva, County Tipperary, Ireland.

COMMERCIAL MATTERS

Inles at the Stock ExchangeJULY 22.



WEDNESDAY, July 22-P. M.

The Stock Board continues to be active, and the operators for the rise appeared to have full control of with but moderate resistance from the bears. Of the 9,200 shares sold on time beyond three days at the First Board, 5,500 shares were on buyers' options, and 3,700 shares on sellers' options. The feature of the movement was the advance in Reading. Yesterday the market closed at 74, ex div., and, with sales of 4,000 shares, the market to-day advanced to 75% for the opening. Erie sold to the extent of 5,000 shares, a bear line of 1,000 shares being put out at 35, seller thirty. The regular price was the same as yesterday. Southern was in good demand at the opening at 50, but this price drew out rather more stock than was wanted, and the price fell back. La Crosse was active and advanced to 43, closing at 42; Milwaukee also continues to improve, selling at 57. Toledo touched 60, but closed lower. New-York Central was in got d demand at 842 284;. Galena improved to 97, and Illinois Central to 119. The Rights were 125. In Railroad Bonds there was a fair busness done at prices showing more firmness. Missouris continue active, and sold at 79; At the Second Board there was a decided change in feeling, and the buoyancy was entirely lost. The leading fancies feil off | to 1 + cent. Erie closed at 35, a decline of 1 V cent, having sold as high as 36. Reading fell back from 753 to 75; Central from 84; to 841: Southern from 50 to 49: Toledo from 60 to 59, &c., with considerable disposition shown to sell. Parties who bought at low prices realized to considerable extent. At the close after the regular session, the market was again a little firmer.

The Exchange market closed steady at 1091 2 1091 for Sterling, with some drawers asking 1099. Franca are quiet. The demand for this steamer has not been very large.

Freights are still without notable change: there is very little merchandise offering. To Liverpool, Flour at 6 a 7d.; 300 bales Cotton at 3s.; 1,000 bbls. common Rosin at 41d. To London, 100 bbls. Rosin at 1s. 9d.; 1,000 bbls. Spirits at 4s.; 4,000 bbls. Crude Tarpentine at 1s. 6d. 4 280 lbs. To Rotterdam, 800 bbls. Resin at 2s. To Bremen, 30 tuns Tobacco in halfboxes, at 10s. P tun; 300 bbls. Rosin at 9d.

The business of the Sub-Treasury was: Receipts \$365,688; Payments, \$368,580 12; Balance, \$11,-286,668 54.

The Money market continues unexpectedly easy, on call. The renewal of large Specie shipments and the firmness of Exchange has as yet had no influence upon it. Some of the banks are taking short paper from outsiders, and are offering Money on call to the leading Stock houses. The earnings of the Wisconsin Lake-Shore Railroad,

from Milwaukee to the State line, which has been consolidated with the line from the State line to Chicego, show a very hardsome gain on the same period

of last year. The figures for the past six months ar Total..... \$103,130 43 \$114,256 74 165 132 48

\$ 11,117 3t Length of road 40 miles. These receipts are exclusive of the steambon

The earnings of the Cleveland and Pittsburgh Road in June were about 80,000 against \$56,000 in June, 1856. The July receipts are estimated at \$99,000. The lower and of the road is doing all that the managers anticipated from it.

The Horicon Road will be completed from Ripon to

Berlin in the course of two weeks. The business on the completed portion of the Road is satisfactory. The scheme of this Company to raise by stock subscriptions the money to purchase at Government price a million of acres of public land has met with success, and the Company anticipate that the subscription will be filled up.

The Milwaukee News states that the Committee

which went from the East to examine the affairs of the La Crosse Railroad have concluded their task and will make a favorable report.

Albert H. Nicolay's regular semi-weekly auction ale of stocks and bonds will take place to-morrow Thursday, at half-past 12 o'clock, at the Merchants Exchange. The Peter Cooper Fire Insurance Company has

declared a semi-annual dividend of six per cent, payable August 1. Aster Fire Insurance Company, 10 P cent, payable

August 1. The New-York Floating Dry Dock Company, &

quarterly dividend of four P cent, payable August 1. The Greenwich Insurance Company, a semi-annual dividend of ten P cent payable August 1.

The Galeta and Chicago Union Railroad Company have declared a dividend of 5 P cert, papable at

Chicago, Aug 15.

The annual meeting of the Cleveland, Paincsville and Ashtabula Railroad Company takes place 11th Angust for she election of Directors. The books close

on the 1st and reopen the 12th August.

The Arabia to day, took \$1,400,977 in specie, which s nearly half a million larger than was expected.

The Board of Directors of the Lake Outario and Hudson River Railroad Company, have notified the sub-cribers for \$1,000,000 of the bonds of the Com-pany, that the tenth call of 10 \$\psi\$ cent thereon will be

payable on Tuesday, the 28th inst.

The cost of fuel in some locations is estimated to be one-fifth part of the whole expense of operating a railond; and the time has arrived when so large a portion of the expense demands the most serious consideration In many instances the stock of our railroads is rendered valueless by the enormous expenses of their opera-tion, and the saving effected by the use of bituminous coal as fuel, in the patent ongines invented for this purpose, would add much to their profits and relieve the traveling public from unnecessary taxation. It will be perceived by experiments attested and aarnexed, first: that the saving in cost of fuel varies from 50 to 70 P cent. The further advantages in the use of bitumineus

coal-burning engines, as at present invented, are: 2. That they emit no smoke, sparks or gases, as these are entirely consumed, thus relieving travelers from the most uppleasant annoyance attendant upon the use of wood locomotives. 3. In consequence, no danger from fire to adjacent property can arise. On some roads the damages occasioned by fire communicated from the present locomotives, is estimated at \$300 annually for each engine. 4. The costs of sites for woodsheds, and the repairs thereof, is entirely saved, for sufficient coal for the day can be taken on board at once. Thus the labor in handling wood is dispensed with, and the risk of losses by fire to wood and sheds saved. 5. A greater degree of durability is obtained by this form of boiler, and the expenses of repairs are much lessened, as the fire-bex can be replaced without dis turbing the tubing, and from its vertical position the tubing is not liable to be clogged and choked on the inside, or costed on the outside. 6. The convenience in using bituminous coal is observable in this, that the ergine may remain constantly fired up for a week without cleaning out, as the fire may be covered up for fourteen hours or more with fine coal, without wasting either fuel or water, and remain with a head of steam ready for immediate use—the coat in the mean time forming a fine bed of coke. 7. Steadiness on the track, and safety in running is itsured, from the fact that the principal weight of the boiler is below the bearing of the axles, rendering the running of the engine on the roaded steady and safe, and attended with less injur the track. As an evidence of this, on the 23d of October, 1856, the coal-engine Phonix, while running on the New Jersey Transportation line at a rapid rate, er countered an obstacle in the shape of a green whiteoak log, 45 feet long, 36 inches dismeter at the but, and 20 inches at the top, lying on four wheels directly across the track. On being observed by the engineer, the engine was reversed, but struck the log with such force that it carried the but of it 37 feet and the top 79 feet along the track, throwing it clear of the train, but breaking it where the pilot struck it. This extraordipary feat was not known to the passengers in the cars until they reached Jersey City. It bent the pilot and broke the lastern, but no other injury was done to the Phonix. The disaster which would have attended as ordinary road engine, where the boiler is above the bearing of the axles, under like circumstances, may be

magined. Experiments have already been made on various roads with coal-burning locomotives, run against wood-borning locomotives of the same power, and the

result proved as follows: In the month of August, 1856, on the Providence and Worcester Railroad, a coal-burning locomotive, "Slater," was run for eight days against the woodburning focomotive "Grafton," of the same power, viz:

Eight days of wood burning engine, running 729 miles and using 65 cerds of wood, at \$6.

The Boards na cosl-ragine Stater, running 729 miles in the same time and doing the same work, used 33,100 miles for coal, cesting at \$6 P tun.

6102

One cord of wood for kindling.

which in 52 weeks of the year, makes the annual difference of \$7,774. And as the usual life of an engine is 12 years, the saving by the use of the coal engine amounts to the large sum of \$93,228, making it very evident that it would be far better policy for any Railroad Company to pay \$10,000 for a cost locomotive than to accept a wood-burning locomotive as a present.

At the present time, 1,000 locomotives are annually built in the United States, and the saving to Railroad property may her ce be estimated. At this rate, on one year's product of 1,000 engines, the saving by the use of bituminous coal, in the mere use of burn nstead-of wood, apart from the many other consid tions above mentioned, would amount, in the twelve years usually allotted to an engine, to the moderate sum of \$93,000,000, which would accrue to the benefit of the etockholders; but this saving would be the result of only one year's product of engines. When this is increased in the same ratio annually, the saving would be incalculable.

In some portions of the United States, however,

wood has not yet reached the exorbitant price paid for it in the eastern section of this country; but as the drain upon the woodlands continue, the cost will increase to the same points and coal must be substituted.

The roads upon which bituminous coal has been experimented with, and found, with little variation, to produce the above results, are the Providence and Worcester Railroad, where Boardman's patent codourner has been in use for more than one year, and the to be exchanged for a coal-burner as fast as the in-

ventor can supply them.
The Norwich and Worcester Bailroad, the Norwich